



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor : DENYER et al.  
Appln. No. : 09/781,610  
Conf. No.: : 3883  
Filed: : February 12, 2001  
Title: : CONTROLLING DRUG DELIVERY APPARATUS  
Group Art Unit : 3731  
Examiner : Mendoza, M.  
Docket No. : 00-41 RCE

\* \* \* \* \*

09/07/2005 MAHME1 00000004 500558 09781610

September 1, 2005

02 FC:1806 180.00 DA

**INFORMATION DISCLOSURE STATEMENT**

Hon. Commissioner of Patents  
and Trademarks  
Alexandria, VA 22313-1450

Sir:

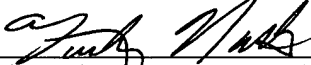
Attached is a Form PTO-1449 listing the enclosed documents.

Should a first action on the merits have been issued on the same day or before this Information Disclosure Statement is filed, please accept this Information Disclosure Statement under Rule 97(c) and charge the requisite Rule 17(p) fee to our Deposit Account No. 50-0558 and proceed to consider this Information Disclosure Statement.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on September 1, 2005 with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
Express Mail Label No. EL 997385310 US.

  
Timothy Nathan, Reg. No. 44,256

DENYER et al. -- Appln. No.: 09/781,610

The Commissioner is authorized to charge the Rule 17(p) Official Fee required by Rule 97(c) in lieu of certification to our Deposit Account No. 50-0558. Duplicate copies of the Fee Transmittal form are submitted herewith for this purpose.

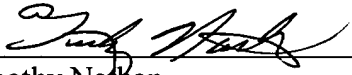
In compliance with 37 C.F.R. § 1.98, Applicant is not required to provide a copy of any U.S. Patent or U.S. Patent Application publication listed in the accompanying form PTO-1449. However, Applicant will make available to the Examiner a copy of any document listed in the attached PTO-1449 form not otherwise available.

In accordance with 37 C.F.R. § 1.97 (g) and (h), filing of this Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56(b) exists.

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to comply fully.

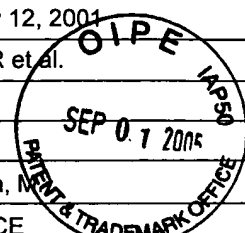
Consideration of the foregoing and enclosures plus the return of a copy of the herewith Form PTO-1449 with the Examiner's initials in the left column per M.P.E.P. § 609 along with an early action on the merits of this application are earnestly solicited.

Respectfully submitted,

By   
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<b>PTO/SB/08 Form (RESPIRONICS Version)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>			<b>Application No.</b>	09/781,610	
			<b>Filing Date</b>	February 12, 2001	
			<b>Inventor</b>	DENYER et al.	
			<b>Confirmation No.</b>	3833	
			<b>Group Art Unit</b>	3731	
<b>Date</b>	September 1, 2005		<b>Examiner:</b>	Mendoza, M	
<b>Sheet</b>	1	of	1	<b>Attorney Docket No:</b>	00-41 RCE



U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code (if known)			
	A	5,284,133	02-08-1994	Burns et al.	
	B	5,328,035	07-12-1994	Duyvesteyen et al.	
	C	5,333,106	07-26-1994	Lanpher et al.	
	D	5,358,058	10-25-1994	Edlund et al.	
	E	5,809,997	09-22-1998	Wolf	
	F	5,928,775	07-27-1999	DiChiara, Jr. et al.	
	G	6,148,815	11-21-2000	Wolf	
	H	6,192,876 B1	02-27-2001	Denyer et al.	
	I	6,584,971 B1	07-01-2003	Denyer et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code-Number-Kind Code				
	K	WO 96/38396	12-05-1996	Goll		
	L	DE 40 37 653 A1	06-04-1992	Schuttpelz		
	M	EP 0 952 127 B1	03-15-2000	Doumet		

<b>Examiner Signature</b>		<b>Date Considered</b>	
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EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609. Draw a line through the citation if not in conformance and not considered. Per MPEP § 609, include a copy of this form with the next communication to the Applicant.